

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The instant Amendment, which is filed in response to the final Office Action mailed September 14, 2010, and to the Advisory Action mailed February 7, 2011, and as a result of the in-person interview conducted at the U.S. Patent and Trademark Office ("USPTO") on February 11, 2011, replaces the Amendment Under 37 CFR § 1.116 filed January 12, 2011. Reconsideration and allowance of this application, as amended, are respectfully requested.

Applicants acknowledge with gratitude the granting of the aforementioned interview conducted with the examiner on February 11, 2011. During the interview, Applicants' representative noted that in preparing the Amendment filed January 12, 2011, Applicants relied upon the USPTO's indication of allowable subject matter in the final Office Action of September 14, 2010. In the January 12 Amendment, Applicants amended claims 20 and 21 to incorporate the subject matter of claims 3 and 5, and canceled claims 3 and 5. Applicants had expected, of course, that the application would be allowed.

Applicants' representative and the examiner also discussed the Advisory Action mailed February 7, 2011, which indicated that "[t]he examiner maintains the rejections upon the further review" (Advisory Action box 11).

However, as the examiner states in the Interview Summary, the "method claims as previously amended would be allowable if resubmitted." This means that if apparatus claims 6, 18, 11, and 20 were canceled from the application, all of pending method claims 2, 4, 7-10, 14, 15, and 21 would be immediately allowable.

Therefore, turning to the instant Amendment, Applicants again acknowledge with gratitude the indication (in the final Office Action of September 14, 2010) that claims 3 and 5 contain allowable subject matter. Accordingly, based on the indication of allowable subject matter in the September 14 Office Action and during the February 11 interview, the claims have been amended solely to expedite allowance of the application. Independent method claim 21 has been amended to include the features previously recited in now-canceled claims 3 and 5. Claim 4 has been amended for purposes of consistency with instant claim 21. Method claims 3 and 5, and apparatus claims 6, 11, 18, and 20, have been canceled without prejudice or disclaimer. Claims 2, 4, 7-10, 14, 15, and 21 are now pending in the application. Claim 21 is independent. No new matter has been introduced through the foregoing amendments. Entry of each of the amendments is respectfully requested.

In view of the aforementioned claim amendments, the rejection of claims 2, 4, 6-11, 14, 15, 18, 20, and 21 under § 103(a) based on GB 1 604 803 to Kelso, Jr. and U.S. Patent No. 4,992,308 to Sunol is respectfully deemed to be obviated.

As also discussed during the interview, since this application has been amended in response to the indication of allowable subject matter, entry of this Amendment after final is deemed to be proper without the necessity for a Request for Continued Examination.

In view of the foregoing, Applicants submit that this application is now in condition for allowance. If the examiner believes that another interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, N. W.
Washington, D.C. 20004
Telephone: (202) 638-6666
Date: February 14, 2011